

Serial No. 10/684,068

PATENT  
Docket No. 60210-010101

**AMENDMENTS TO THE CLAIMS**

**Claim 1 (Original):** A disposable scalpel comprising:

- a handle;
- a surgical blade attached to one end of the handle;
- a sheath covering at least a portion of the handle, movable between two positions:
  - an open position wherein the blade is at least partly uncovered; and
  - a closed position wherein the blade is substantially covered;
- a flexible locking strip attached to the handle for engaging the sheath in the open and closed positions;
- a first button attached to the sheath for releasing the flexible locking strip and allowing the sheath to be moved between the open and the closed position; and
- a second button attached to the sheath for permanently locking the sheath in the closed position.

**Claim 2 (Original):** The scalpel of claim 1 wherein the flexible locking strip sits in a first opening when the sheath is in the open position, said first opening being in the sheath.

**Claim 3 (Currently Amended):** The scalpel of claim 1 wherein the flexible locking strip sits in a second opening when the sheath is in the closed position, said second opening being in the sheath.

**Claim 4 (Original):** The scalpel of claim 3, wherein the second button sits in the second opening when the sheath is in the closed position.

**Claim 5 (Original):** The scalpel of claim 4, wherein the second button engages a portion of the flexible locking strip on one side when the sheath is in the closed position.

**Claim 6 (Currently Amended):** A disposable scalpel having a sheath, the sheath having three modes of operation:

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a protective mode where the sheath covers the blade, said sheath being made substantially immobile by means of a substantially flexible strip, wherein the substantially flexible strip sits in a first opening when the sheath is in the open mode, said first opening being in the sheath; and

an open mode where a blade connected to a handle of the scalpel can be used when the sheath is in a retracted position, and

a permanently locked mode where the sheath covers the blade in permanently locked position, said locked position being achieved by depressing a locking button.

**Claim 7 (Canceled)**

**Claim 8 (Original):** The scalpel of claim 6 wherein the substantially flexible strip sits in a second opening when the sheath is in the protective mode, said second opening being in the sheath.

**Claim 9 (Original):** The scalpel of claim 8, wherein the locking button sits in the second opening when the sheath is in the permanently locked mode.

**Claim 10 (Original):** The scalpel of claim 9, wherein the locking button engages a portion of the substantially flexible strip when the sheath is in the permanently locked mode.

**Claim 11 (Original):** The scalpel of claim 6 wherein the handle comprises at least one rail along a first portion of the handle and the sheath comprises at least one groove along the inside of the sheath, the rail of the handle fitting into the groove of the sheath and facilitating the movement of the sheath.

**Claim 12 (Original):** The scalpel of claim 6 wherein the outside of the sheath has raised angular ridges.

**Claim 13 (Currently Amended):** The scalpel of claim 6 wherein the substantially flexible ~~locking~~ strip is a cantilever.

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**Claim 14 (Original):** The scalpel of claim 8 further including a release button for releasing the substantially flexible strip from the second opening so as to displace the sheath from the protective mode.

**Claim 15 (Original):** The scalpel of claim 7 further including a release button for releasing the substantially flexible strip from the first opening so as to displace the sheath from the open mode.

**Claim 16 (Original):** A disposable scalpel comprising:

- a handle;

- a surgical blade attached to one end of the handle;

- a sheath covering at least a portion of the handle, movable between two positions:

- an open position wherein the blade is at least partly uncovered; and

- a closed position wherein the blade is substantially covered; and

- a first button attached to the sheath for permanently locking the sheath in the closed position; and

- a flexible locking strip attached to the handle for engaging the sheath in the open and closed positions.

**Claim 17 (Canceled)**

**Claim 18 (Currently Amended):** The scalpel of claim ~~17~~ 16 further including a second button attached to the sheath for releasing the flexible locking strip and allowing the sheath to be moved between the open and the closed position.

**Claim 19 (Currently Amended):** The scalpel of claim ~~17~~ 16 wherein the flexible locking strip sits in a first opening when the sheath is in the open position, said first opening being in the sheath.

**Claim 20 (Original):** The scalpel of claim 17 wherein the flexible locking strip sits in a second opening when the sheath is in the closed position, said second opening being in the sheath.

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**Claim 21 (Original):** The scalpel of claim 20, wherein the first button sits in the second opening when the sheath is in the closed position.

**Claim 22 (Original):** The scalpel of claim 21, wherein the first button engages a portion of the flexible locking strip when the sheath is in the closed position.